

Note: Herseth Sandlin spoke on the House floor this morning in support of her legislation before it passed the House. Her comments can be viewed [here](#).

HOUSE PASSES HERSETH SANDLIN'S TRIBAL LAW AND ORDER ACT

Herseth Sandlin Legislation Will Help Ensure Safety and Security in Indian Country

Washington, DC (July 21, 2010) – Today the full U.S. House of Representatives passed Rep. Stephanie Herseth Sandlin's bipartisan Tribal law and Order Act, legislation to help enhance safety and security in Indian Country. The bipartisan bill now heads to the President's desk for his signature. The bill earlier passed the Senate by Unanimous Consent, included as part of H.R. 725.

Herseth Sandlin said, "I introduced this bipartisan bill because of the urgent need to improve law enforcement in Indian Country. Native American families, like all families, deserve a basic sense of safety and security in their communities. I'm proud to pass the Tribal Law and Order Act through the House and send it to the President for his signature."

The bill has the support of South Dakota's nine Sioux Tribes. "We've worked long and hard for Tribal Law and Order legislation, almost 3 years now. We're very happy that Representative Herseth Sandlin sponsored this and took the time to listen to the tribes. We're so happy it has finally passed," said Gay Kingman, Executive Director of the Great Plains Tribal Chairman's Association.

The Tribal Law and Order Act strengthens tribal law enforcement, establishes accountability measures for Federal agencies responsible for investigating and prosecuting reservation crime, and provides tribes with additional tools to combat crime locally.

The need for this bill is clear, both in South Dakota and nationwide. Indian reservations nationwide suffer more than 2.5 times the national violent crime rate. It's estimated that more than 1 in 3 American Indian and Alaska Native women will be raped in their lifetimes. Drug trafficking organizations are targeting Indian reservations to manufacture and distribute illegal substances, because of the lack of police presence on Indian lands. Less than 3,000 Bureau of Indian Affairs and tribal police patrol more than 56 million acres of Indian lands – less than half the law enforcement presence in comparable rural communities.

In South Dakota, the statistics are just as stark. South Dakota tribal law enforcement officers often put in heavy overtime putting them at risk of burnout. Officials from the Oglala Sioux Department of Public Safety recently had six officers on duty to cover the Pine Ridge Reservation, an area larger than the states of Delaware and Rhode Island combined. In addition, there are typically 10 or fewer officers per shift to patrol these large areas, requiring each officer to patrol hundreds of miles. This hinders response times and puts the safety of officers and the people they are patrolling at risk. This bill will improve recruitment efforts and provide tribal law enforcement officers with the tools they need to protect Indian Country.

Major provisions of the legislation include:

- **Evidence sharing and declination data:** Requires federal prosecutors to maintain data on criminal prosecution declinations in Indian country, and to share evidence to support prosecutions in tribal courts
- **Tribal Court sentencing:** Increases tribal court authority from 1 to 3 years imprisonment where certain constitutional protections are met
- **Federal Testimony:** Helps ensure Federal officials who work in Indian country to testify about information gained in the scope of their duties to support a prosecution in tribal court

- **Improves transparency** in Public Safety spending by the Bureau of Indian Affairs (BIA), and requires greater consultation on the part of the BIA to tribal communities on matters affecting public safety and justice
- **Increased sexual assault training** and standardized protocols for handling sex crimes, interviewing witnesses, and handling evidence of domestic and sexual violence crimes in Indian country
- **Authorizes Deputization of Special Assistant U.S. Attorneys** to prosecute reservation crimes in Federal courts
- **Increases Deputizations of Tribal and State Police to Enforce Federal Law:** Enhances Special Law Enforcement Commission program to deputize officers to enforce federal laws on Indian lands
- **Authorizes the Drug Enforcement Agency to deputize** tribal police to assist on reservation drug raids
- **Increases recruitment and retention efforts** for BIA and Tribal Police
- **Expands training opportunities for BIA and Tribal police** to receive training at State police academies, and tribal, state, and local colleges – where Federal law enforcement training standards are met.
- **Tribal Police Access to Criminal History Records:** Many tribal police have no access to criminal history records. The bill will provide tribal police greater access to criminal history databases that provide them with essential information when detaining or arresting a suspect.
- **Investigating fraudulent Indian arts and crafts:** The Indian Arts and Crafts Amendments Act included in the bill will allow any federal law enforcement officer to investigate fraudulent

Indian arts and crafts. Currently only the FBI can investigate these crimes.

- Programmatic Reauthorizations: The bill will reauthorize existing programs designed to strengthen tribal courts, police departments, and corrections centers – as well as programs to prevent and treat alcohol and substance abuse, and improve opportunities for at-risk Indian youth.

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